

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-v- :

Case No. 14 Cr. 810 (CM)

MOSHE MIRILASHVILI, ET AL. :

:

Defendants.

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DECLARATION OF HENRY E. MAZUREK IN SUPPORT OF DEFENDANT
MOSHE MIRILASHVILI'S MOTIONS *IN LIMINE*

HENRY E. MAZUREK declares as follows, pursuant to 28 U.S.C. § 1746:

1. I am a member of the law firm of Clayman & Rosenberg LLP, and am counsel to defendant Dr. Moshe Mirilashvili¹ in the above-referenced criminal case. I offer this Declaration in support of Dr. Mirilashvili's Motions *in Limine*, dated January 25, 2016.

2. Attached hereto as Exhibit A is a true copy of the Government's Expert Notice dated January 15, 2016.

3. Attached hereto as Exhibit B is a true copy of the Government's Supplemental Expert Notice dated January 24, 2016.

4. Attached hereto as Exhibit C is a true copy of the testimony of Dr. Christopher Gharibo from the trial of *United States v. Kevin Lowe*, 14 Cr. 55 (LGS) (SDNY).

¹ Dr. Mirilashvili's name is misspelled in the Indictment and case caption.

5. Attached hereto as Exhibit D is a true copy of the testimony of William Winsley, M.S. from the trial of *United States v. Wiseberg, et al*, 13 Cr. 794 (AG) (SDNY).

6. Attached hereto as Exhibit E is a true copy of an excerpt of records from the Bureau of Narcotics Enforcement pertaining to Patient K.A.

7. Attached hereto as Exhibit F is a true copy of an Email from Edward Diskant to Henry Mazurek dated January 21, 2016.

8. Attached hereto as Exhibit G is a true copy of an excerpt of records from the Bureau of Narcotics Enforcement pertaining to Patient A.F.

9. Attached hereto as Exhibit H is a true copy of S. D. Passik, et al., *Pain Clinician's Ranking of Aberrant Drug Taking Behavior*, 17 J. Pain & Palliative Care Pharmacotherapy 39 (Feb. 2002).

10. Attached hereto as Exhibit I is a true copy of Edward Michna, et al., *Urine Toxicology Screening Among Chronic Pain Patients on Opioid Therapy: Frequency and Predicatability of Abnormal Findings*, 23 Cin. J. Pain 2 (Feb. 2007).

11. Attached hereto as Exhibit J is a true copy of Stephen E. Stone, *The Investigation and Prosecution of Professional Practice Cases Under the Controlled Substances Act: Introduction to Professional Practice Case Law and Investigations*, Drug Enforcement (Spring 1983).

12. Attached hereto as Exhibit K is a true copy of the transcript from court proceedings in *United States v. Moshe Mirilishvili, et al.*, 14 Cr. 810 (CM) from January 28, 2015.

13. Attached hereto as Exhibit L is a true copy of a redacted DEA-6 Report.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

/S/HEM

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Dated: New York, New York
January 25, 2016